NOVA SCOTIA

LEGAL AID COMMISSION

Twenty-Eighth Annual Report

2004/2005

106-07196,

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MANDATE

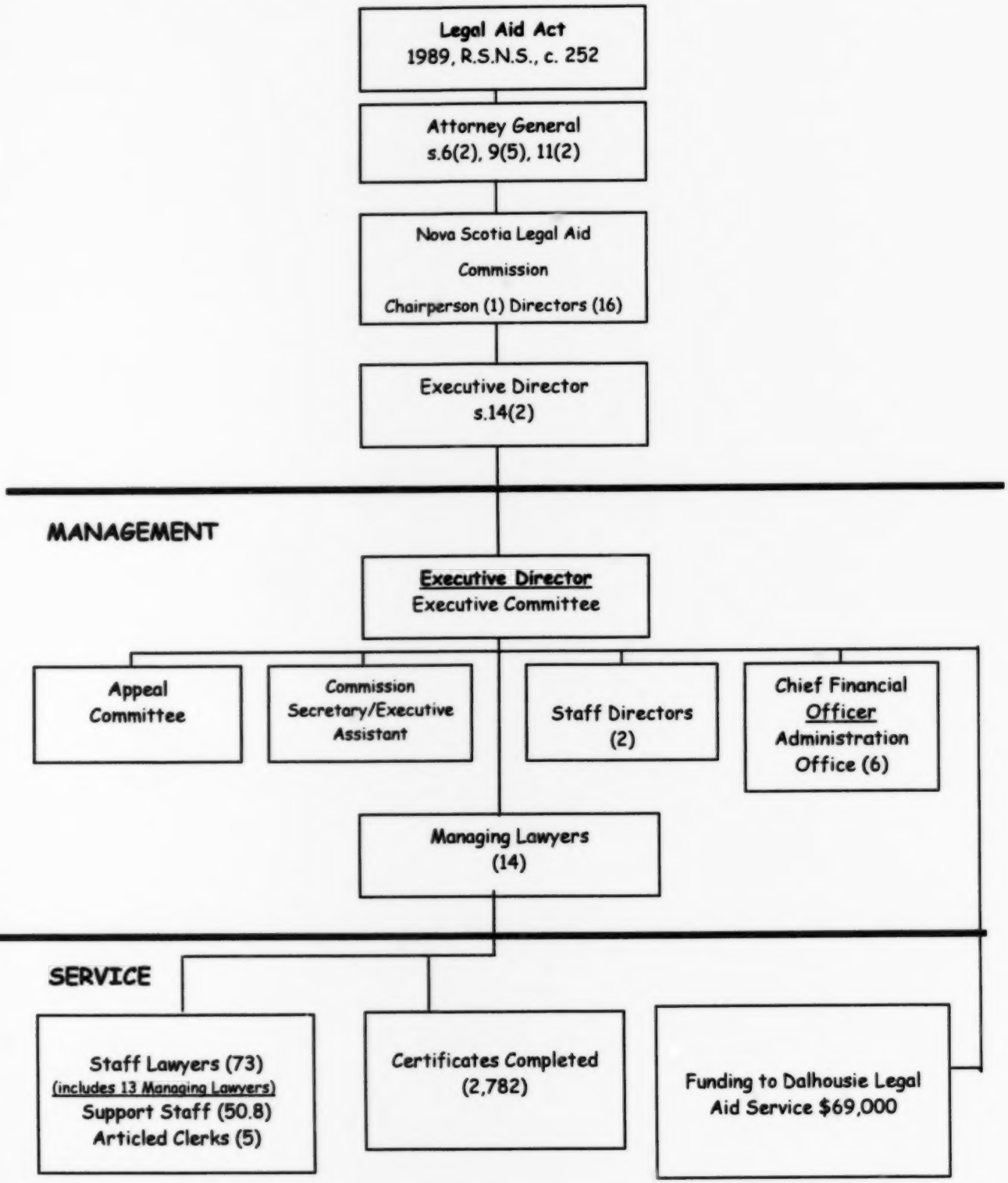
The mandate of the Nova Scotia Legal Commission, in so far as Government funding permits, is:

(a) To deliver quality legal representation to qualified applicants with priority for matters involving the liberty and civil rights of individual clients and for matters involving the integrity and protection of an individual's family.

(b) Such other legal services as Government may contract with the Commission to provide to individuals or groups.

2004/2005 NOVA SCOTIA LEGAL AID COMMISSION STRUCTURE

LEGISLATIVE AUTHORITY



NOVA SCOTIA LEGAL AID COMMISSION

CONTACTS

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102-137 Chain Lake Drive
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Chief Financial Officer
Nova Scotia Legal Aid Commission
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NOVA SCOTIA LEGAL AID COMMISSION

BOARD OF DIRECTORS AS OF MARCH 31, 2005

Name	Location	Term Expires	Representing
Donald G. Harding, Q.C. (Chair)	Shelburne	November 27, 2005	Justice
Glenn Joudrey	Kingston	November 27, 2005	Justice
Patrick J. Murray, Q.C.	Sydney	November 27, 2005	Justice
David F. Curtis, Q.C.	Truro	December 5, 2005	Bar Society
Frank DeMont	New Glasgow	December 5, 2005	Bar Society
Christopher Manning	Kentville	December 5, 2005	Bar Society
James Chipman	Halifax	December 16, 2005	Justice
Vincent B. MacDonald	Halifax	October 27, 2007	Justice
Linda Tippett-Leary	Halifax	October 27, 2007	Bar Society
Shanta Dhir	Truro	October 27, 2007	Justice
Frank Gillis, Q.C.	Sydney	October 27, 2007	Justice
M. Joseph Rizzetto	Sydney	February 10, 2008	Bar Society
Clarence Guest	Halifax	-	Public Service
Shulamith Medjuck	Halifax	-	Public Service
Vacant	-	-	Bar Society
Vacant	-	-	Bar Society
Vacant	-	-	Justice

STANDING COMMITTEES AS OF MARCH 31, 2005

APPEAL

James Chipman
Frank DeMont
Glenn Joudrey
Vincent B. MacDonald
Christopher Manning
M. Joseph Rizzetto

BUDGET

David F. Curtis, Q.C. (Vice-Chair)
Shulamith Medjuck
Clarence Guest
R. Gordon Murray, Q.C.
Patrick J. Murray, Q.C.

Donald G. Harding, Q.C. (Chair)
T. Gerard Lukeman, Q.C. (Executive Director)
Walter I. Yeadon (Director)
Anne Malick, Q.C. (Director)
Resource - David J. Slaunwhite
(Chief Financial Officer)

EXECUTIVE

Donald G. Harding, Q.C. (Chair)
T. Gerard Lukeman, Q.C.(Ex. Director)
Walter I. Yeadon (Director)
Anne Malick, Q.C. (Director)
R. Gordon Murray, Q.C.

Resource - David J. Slaunwhite
(Chief Financial Officer)
Resource - Lisa Stokkeskog
(Commission Secretary)

TARIFF REVIEW COMMITTEE

Walter I. Yeadon (Director)
R. Gordon Murray, Q.C.
David Slaunwhite (Chief Financial Officer)
Glenn Joudrey
Gregory Rafuse, Q.C.

OFFICE LOCATIONS AS OF OCTOBER 21, 2005

Amherst
P.O. Box 262, 55 Church Street
Amherst, NS B4H 3Z2
(902) 667-7544 /(902) 667-0030 Fax
1-866-999-7544 Toll-Free

Annapolis Royal
P.O. Box 188, 253 St. George Street
Annapolis Royal, NS B0S 1A0
(902) 532-2311/(902) 532-7488 Fax
1-866-532-2311 Toll-Free

Antigonish
273 Main Street
Antigonish, NS B2G 2C3
(902) 863-3350 /(902) 863-7598 Fax
1-866-439-1544 Toll-Free

Bridgewater
724 King Street
Bridgewater, NS B4V 1B6
(902) 543-4658 /(902) 543-3044 Fax
1-866-543-4658

Dartmouth
300-99 Wyse Road
Dartmouth, NS B3A 4S5
(902) 420-8815 Family/Civil
(902) 420-8818 Criminal
(902) 420-6562 Fax
1-877-420-8818 Toll-Free

Halifax-South
400-5475 Spring Garden Road
Halifax, NS B3J 3T2
(902) 420-6583 / (902) 420-1260 Fax
1-877-777-6583 Toll-Free

Kentville
325 Main Street, Salon B
Kentville, NS B4N 1K5
(902) 679-6110 /(902) 679-6177 Fax
1-866-679-6110 Toll-Free

New Glasgow
116 George Street
New Glasgow, NS B2H 2K6
(902) 755-7020 /(902) 752-8733 Fax
1-877-755-7020 Toll-Free

Sydney
401-15 Dorchester Street
Sydney, NS B1P 5Y9
(902) 563-2295 /(902) 539-0489 Fax
1-877-563-2295 Toll-Free

Truro
102-523 Prince Street
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Windsor
P.O. Box 760, 138 Gerrish Street
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Yarmouth
P.O. Box 163, 101 Water Street
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Sydney, NS B1P 5Y9
(902) 539-7026/(902) 539-3058 Fax

Port Hawkesbury
Port Hawkesbury Justice Center
302-15 Kennedy Street
Port Hawkesbury, NS B9A 2Y1
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102-137 Chain Lake Drive
Halifax, NS B3S 1B3
(902) 420-6573/(902) 420-3471 Fax
1-877-420-6578 Toll-Free

NSLA STAFF COMPLEMENT AS OF MARCH 31, 2005

OFFICE	Exec. Dir.	Staff Dir.	Lawyers	Admin. Support	Legal Assistants	Chief Financial Officer	Prison Liaison	Youth Court Support Workers	Library	MIS	Article Clerks	Total
Administration	1	1		5		1			1	1		10
Amherst			3		3		1					7
Annapolis Royal			2		1.6							3.6
Antigonish			5		3						1	9
Bridgewater			4		3							7
Dartmouth			9		6						1	16
Hal - South			9		5							14
Hal - North			6		5						2	13
Kentville			4		3							7
New Glasgow			4		3						1	8
Sydney			10		6							16
Truro		1	3		3							7
Windsor			2		2							4
Yarmouth			3		2.6							5.6
Youth & Duty Counsel (HRM)			7		3			2				12
Sydney Duty Counsel			2		1.6			2				5.6
TOTALS	**1**	**2**	**73**	**5**	**50.8**	**1**	**1**	**4**	**1**	**1**	**5**	**144.8**

EXECUTIVE DIRECTOR'S REPORT

In looking around our world, we, as Canadians, recognize how blessed we are to live in a democracy in Canada. One of the pillars that support a democracy is to have an effective justice system based on the Rule of Law. The effectiveness of our justice system must not only be measured by the content of the decisions made by the judges, but must also be measured by the level of access to the system. If we have the very best of justice systems, it would mean nothing if citizens cannot use it to resolve their problems.

The year 2004-2005 has seen the Commission initiate and expand a number of new projects which it is believed will improve the degree of access to justice in Nova Scotia in an effective manner. I will review each development in summary form:

In Custody Adult Duty Counsel Programs

This program ensures that legal services are available to those persons who are brought to court while still in custody and do not already have legal counsel. While this program has already been active in our intake criminal courts in Halifax and Dartmouth, this year saw the program expanded to cover the intake criminal courts located in Sydney. The service in Sydney was up and running with the hiring of a staff lawyer on June 14, 2004. During its first year of operation in Sydney, the program was expanded to meet a need identified by the court, that of having Duty Counsel available to represent accused persons who, due to a change in their circumstances, wish to apply to the court for a variation of their undertakings previously given to the court.

Youth Duty Counsel Program

This program offers legal aid counsel to any youth (aged 12-17) who is brought to court in custody. As well, the Duty Counsel assists young persons appearing in court who are not in custody, to the extent they are available after any youth in custody has received legal aid services. On July 12, 2004 the Commission hired a staff lawyer in Sydney to provide these Youth Duty Counsel services.

We had been offering Youth Duty Counsel Services in Halifax which were well received. The expansion of this program to Sydney was a logical step for the Commission to take in increasing the availability of legal aid services to youth in trouble with the law.

Non-Custodial Adult Duty Counsel

This service is offered to people who arrive in Criminal Court in Halifax and Dartmouth and who are unrepresented. Significant numbers of people were seen to be appearing in these courts without counsel and at somewhat of a loss as to what they needed to be doing. Since October 18, 2004 in Halifax, and since November 14, 2004 in Dartmouth, the Commission has had counsel in place in both courts with a mandate to assist persons appearing in court without counsel. The target groups for these services are the working poor, students and persons in receipt of Income Assistance. The objective is to reduce the number of self-represented individuals appearing in court.

Telephone Duty Counsel Manual

The Commission provides "free and immediate" legal advice to persons under arrest or detention by peace officers. This service is provided 24 hours per day and seven days per week.

The Commission acted to assist the lawyers who staff this telephone advice service by providing them with a manual covering most issues that can arise in such calls. I would express to Anne Malick, Q.C. and Donald Murray, Q.C. our appreciation for the good work done in providing such a useful tool to the lawyers handling these calls.

The Commission has also translated this manual into French and provided it to those lawyers who have indicated their willingness to provide telephone duty counsel service in the French language.

Tariff Issues

The Commission, from time-to-time, hires private lawyers to provide legal aid services to applicants who cannot be represented by staff lawyers. The terms of hire of the private lawyer are regulated by our Legal Aid Tariff of Fees.

During this year the Commission concluded its review of the current Tariff with respect to the preparation time allowed for various matters and the various categories for cases under the Tariff. The Commission is hopeful that in the upcoming year, that they will be able to budget the necessary funds to enable the improved Tariff to be implemented.

Port Hawkesbury Office

Planning has advanced to construction for the new Port Hawkesbury Justice Center. The planning envisaged a full time office in the new Justice Center for Legal Aid. The Commission plans to place full-time staff in that new office thereby making legal aid services more readily available to citizens of Inverness and Richmond Counties. During the upcoming year, we expect this office to become a reality.

This will be the first Nova Scotia Legal Aid Office to be located in a Justice Centre. Plans are on the drawing board for a new Justice Center in Bridgewater and further, an announcement has been made for Yarmouth to be the site of the next new Justice Center after Bridgewater. Planning is proceeding based on Legal Aid being located in these Justice Centers.

Legal Information Society of Nova Scotia

The Commission partnered with LISNS to prepare a telephone script available to callers seeking information re their court appearance. The script is entitled "The Importance of Preparing for your First Appearance in Criminal Court". This was an effort by the Commission to provide persons with the information they need in order to be ready for their first court appearance. LISNS reports that this script is the most requested of all their criminal law scripts.

Youth Court Support Worker Program

The YCSW program provides necessary support services to youths who are in conflict with the law. We have had one (1) staff in Halifax and one (1) in Sydney providing this service for a number of years. Last year, we increased our staffing in Halifax to two (2) support workers. In the current year, we have added a second support worker to our Sydney Office.

The Commission is of the view that our Y.C.S.W. program recognizes the high priority to be placed on youth issues. This is our response to the high priority the courts have placed on meeting the objectives set out in the Declaration of Principle in section 3 of the ***Youth Criminal Justice Act,*** to wit:

(1) "Timely intervention that reinforces the link between the offending behaviour and its consequences, and

(2) The promptness and speed with which persons responsible for enforcing this Act must act, given young persons' perceptions of time".

Funding for Family Law Certificates

In October 2004, the Commission approved up to $1 million to be dedicated to increasing the availability of legal aid certificates for family law matters. This one-time allotment of certificate funding was an effort to wipe out the backlog in applicants seeking family legal aid services. This funding ensured that many applicants were able to receive legal aid services that would not have been otherwise available to them.

These many new initiatives reflect the efforts the Commission and its staff have been making to increase the availability of legal aid services to Nova Scotians. Our goal is to assist eligible Nova Scotians to have effective access to our justice system.

I do want to express my thanks to the staff at our Administration Office for their support in getting those programs up and running. With all these changes in our delivery of legal aid services, there has been a significant increase in the demands placed on our Administration staff and I appreciate their support in responding to these demands.

Next Step - Eligibility Review

Now that the Commission has completed its work on changes to the Tariff with respect to hourly rates, preparation times allowed, and revision of the various categories for cases under the Tariff, it is an opportune time for the Commission to take up, as its next project, a major review of eligibility for Legal Aid Services as part of the Commission's commitment to access to justice.

The current eligibility test contains income cut-off levels that have been in place many years without change. These need to be reviewed to determine if change is required. We have already made significant efforts to provide legal advice and representation to even more people through our duty counsel programs. We should also consider if our eligibility process is unfairly depriving applicants of access to necessary legal services. It has been said that Legal Aid provides services to the truly poor, but who is going to provide legal information, advice and representation to the "working poor" who cannot afford to purchase such legal services in the marketplace.

There is no doubt but that this review of eligibility is a significant project which will be time-consuming both for Commission members and Administration staff.

In Closing

This year has been a time of significant loss for us at Legal Aid.

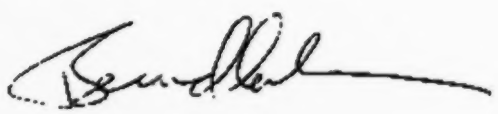
In June 2004, Ms. Jackie MacIntyre, a Legal Assistant in our Sydney Office and who had been ill for some time, passed away. Jackie, although she had been out of the office for a few years, she remained in close contact with our staff. She provided excellent support to the Sydney Office team and always brought good cheer to the office.

In August 2004 we were shocked by the sudden passing of two of our active Senior Staff Counsel: Arthur J. Mollon, Q.C. and Andrew Ionson of the Sydney and Annapolis Royal Legal Aid Offices respectively. Both Art and Andrew had served with Legal Aid for many years and were very highly respected and effective lawyers.

With their families and friends, we have shared an enormous sense of loss and sadness at the passing of our three staff members. For all their contributions to our Legal Aid program we will remember them. We are better for having known them.

Thank You

To all staff, and to our Chairman, Donald G. Harding, Q.C., and all members of the Commission, I thank you for all you have done over the past year for the Legal Aid program in Nova Scotia and its clients. Our joint efforts help make Nova Scotia's justice system, one which is truly accessible to the poor.



T. Gerard Lukeman, Q.C.
Executive Director

NOVA SCOTIA LEGAL AID COMMISSION

FINANCIAL ELIGIBILITY TABLE

Legal Aid may be granted to a person on Social Assistance or in an equivalent financial position where there is merit in providing legal assistance in certain areas of family/civil and criminal law.

A person is in a position equivalent to that of someone on Social Assistance when the gross monthly income of the person and his/her spouse, including common-law spouse, is less than the amount set out below. (Child Tax Credit is not counted in income) and the person's monthly expenses for shelter, food, miscellaneous, transportation and the cost of the legal service requested is greater than the amount set out below. (Maximum allowance for transportation is $18.00)

HOUSEHOLD	GROSS MONTHLY INCOME	HOUSEHOLD	GROSS MONTHLY INCOME
One Adult	$1067.00	Two Adults	$1424.00
and 1 Child	$1416.00	and 1 Child	$1708.00
and 2 Children	$1700.00	and 2 Children	$1932.00
and 3 Children	$1924.00	and 3 Children	$2156.00
and 4 Children	$2148.00	and 4 Children	$2380.00
and 5 Children	$2372.00	and 5 Children	$2604.00
and 6 Children	$2596.00	and 6 Children	$2828.00
and 7 Children	$2820.00	and 7 Children	$3052.00

Applications Received by Method of Service

From April 1, 2004 to March 31, 2005 with Comparative

Disposition	2004/2005	2003/2004	Change	
Full Service				
Staff Lawyers	11,787	11,509	278	2.4%
Private Lawyers	3,789	3,238	551	17.0%
Full Service	**15,576**	**14,747**	**829**	**5.6%**
Reciprocals - Outgoing	**78**	**54**	**24**	**44.4%**
Summary Service	**844**	**1,055**	**(211)**	**-20.0%**
Duty Counsel				
Staff Duty Counsel	128	67	61	91.0%
Cells Duty Counsel	3,775	2,205	1,570	71.2%
Business Hours Telephone DC	1,107	1,144	(37)	-3.2%
After Hours Telephone DC	4,627	4,760	(133)	-2.8%
Duty Counsel	**9,637**	**8,176**	**1,461**	**17.9%**
Accepted Applications	**26,135**	**24,032**	**2,103**	**8.8%**
Rejected Applications	**2,572**	**2,318**	**254**	**11.0%**
Pending Decision	**388**	**476**	**(88)**	**-18.5%**
Grand Total	**29,095**	**26,826**	**2,269**	**8.5%**

Applications Received by Area of Law

From April 1, 2004 to March 31, 2005

Disposition	Criminal Adult	Criminal Y. P.	Provincial	Family	Civil	N/A	Total	%
Full Service								
Staff Lawyers	6,572	1,784	34	3,198	199	0	11,787	40.5%
Private Lawyers	1,281	294	0	2,129	85	0	3,789	13.0%
Full Service	**7,853**	**2,078**	**34**	**5,327**	**284**	**0**	**15,576**	**53.5%**
Reciprocals - Outgoing	**4**	**0**	**0**	**74**	**0**	**0**	**78**	**0.3%**
Summary Service	**199**	**12**	**25**	**506**	**102**	**0**	**844**	**2.9%**
Duty Counsel								
Staff Duty Counsel	114	8	0	5	1	0	128	0.4%
Cells Duty Counsel	3,139	634	2	0	0	0	3,775	13.0%
Business Hours Telephone DC	1,014	89	4	0	0	0	1,107	3.8%
After Hours Telephone DC	3,932	504	0	0	0	191	4,627	15.9%
Duty Counsel	**8,199**	**1,235**	**6**	**5**	**1**	**191**	**9,637**	**33.1%**
Accepted Applications	**16,255**	**3,325**	**65**	**5,912**	**387**	**191**	**26,135**	**89.8%**
Rejected Applications	**1,050**	**15**	**43**	**1,375**	**89**	**0**	**2,572**	**8.8%**
Pending Decision	**101**	**13**	**2**	**265**	**7**	**0**	**388**	**1.3%**
Grand Total	**17,406**	**3,353**	**110**	**7,552**	**483**	**191**	**29,095**	**100.0%**
Percent	**59.8%**	**11.5%**	**0.4%**	**26.0%**	**1.7%**	**0.7%**	**100.0%**	

Matters Completed

From April 1, 2004 to March 31, 2005 with Comparative

Disposition	2004/2005	2003/2004	Change	
Full Service				
Staff Lawyers	11,786	12,346	-560	-4.5%
Private Lawyers	2,782	2,949	-167	-5.7%
Full Service	**14,568**	**15,295**	**-727**	**-4.8%**
Reciprocals - Outgoing	**78**	**54**	**24**	**44.4%**
Summary Service	**883**	**1,215**	**-332**	**-27.3%**
Duty Counsel				
Staff Duty Counsel	127	66	61	92.4%
Cells Duty Counsel	3,775	2,192	1,583	72.2%
Business Hours Telephone DC	1,109	1,142	-33	-2.9%
After Hours Telephone DC	4,627	4,760	-133	-2.8%
Duty Counsel	**9,638**	**8,160**	**1,478**	18.1%
Accepted Applications	**25,167**	**24,724**	**443**	**1.8%**
Rejected Applications	**2,568**	**2,341**	**227**	**9.7%**
Pending Applications	**134**	**210**	**-76**	**-36.2%**
GRAND TOTAL	**27,869**	**27,275**	**594**	**2.2%**

Matters Completed by Area of Law

From April, 1 2004 to March 31, 2005

Disposition	Criminal Adult	Criminal Y. P.	Provincial	Family	Civil	N/A	Total	%
Full Service								
Staff Lawyers	6,403	1,654	29	3,496	204	0	**11,786**	42.3%
Private Lawyers	1,140	194	0	1,401	47	0	**2,782**	10.0%
Full Service	**7,543**	**1,848**	**29**	**4,897**	**251**	**0**	**14,568**	**52.3%**
Reciprocals - Outgoing	**0**	**0**	**0**	**78**	**0**	**0**	**78**	**0.3%**
Summary Service	**200**	**15**	**25**	**539**	**104**	**0**	**883**	**3.2%**
Duty Counsel								
Staff Duty Counsel	113	8	0	5	1	0	**127**	0.5%
Cells Duty Counsel	3,139	634	2	0	0	0	**3,775**	13.5%
Business Hours Telephone DC	1,015	90	4	0	0	0	**1,109**	4.0%
After Hours Telephone DC	3,932	504	0	0	0	191	**4,627**	16.6%
Duty Counsel	**8,199**	**1,236**	**6**	**5**	**1**	**191**	**9,638**	34.6%
Accepted Applications	**15,942**	**3,099**	**60**	**5,519**	**356**	**191**	**25,167**	**90.3%**
Rejected Applications	**1,043**	**15**	**44**	**1,372**	**94**	**0**	**2,568**	**9.2%**
Pending Applications	**29**	**1**	**0**	**101**	**3**	**0**	**134**	**0.5%**
Grand Total	**17,014**	**3,115**	**104**	**6,992**	**453**	**191**	**27,869**	**100%**
Percent	**61.0%**	**11.2%**	**0.4%**	**25.1%**	**1.6%**	**0.7%**	**100%**	

Number of Full Service Matters Completed
From April 1, 2004 to March 31, 2005

Full Service Matters	AM	AR	AT	BW	DR	Hfx North	Hfx South	KE	NG	SY	TR	WI	YA	Staff Total	Private Lawyer
Criminal Adult															
Homicide	0	0	0	0	1	0	2	1	0	0	3	0	0	**7**	**8**
Attempted Homicide	0	0	2	0	0	0	1	0	2	0	1	0	0	**6**	**16**
Robbery	4	2	1	4	22	0	51	4	5	7	11	5	1	**117**	**51**
Sexual assault	4	6	3	6	12	0	17	8	4	15	8	6	5	**94**	**54**
Sexual abuse	1	2	0	4	1	0	0	0	0	1	3	0	0	**12**	**2**
Aggravated assault	0	0	0	4	19	0	52	1	4	9	43	1	7	**140**	**17**
Assault	49	60	54	76	160	0	430	74	72	187	54	73	44	**1,333**	**361**
Kidnapping	0	0	0	1	0	0	5	0	0	0	0	1	0	**7**	**1**
Abduction	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**3**
Arson	2	1	1	1	3	0	3	0	1	1	2	3	0	**18**	**10**
Weapons/Explosives	3	4	1	2	7	0	19	8	3	17	4	9	3	**80**	**23**
Break & Enter	22	17	11	33	38	0	75	21	18	36	40	41	6	**358**	**91**
Fraud/False pretence	7	5	8	10	29	0	105	10	15	37	11	15	7	**259**	**27**
Theft	35	13	13	28	152	0	434	50	37	100	67	47	16	**992**	**66**
Possession of stolen property	6	4	3	5	16	0	24	6	5	21	6	7	2	**105**	**17**
Damage/Mischief	11	4	12	7	22	0	43	13	8	36	9	14	8	**187**	**22**
Prostitution	0	0	0	0	5	0	33	1	0	0	1	0	0	**40**	**1**
Gaming/Betting	0	0	0	0	0	0	1	0	0	0	0	0	0	**1**	**0**
Public order offence	6	1	3	4	3	0	12	3	0	3	4	6	0	**45**	**1**
Administration of justice	28	0	4	13	4	0	14	8	1	17	42	8	0	**139**	**4**
Traffic/Import drugs	6	7	3	13	24	0	60	8	5	8	10	16	1	**161**	**46**
Possession of drugs	8	11	5	11	15	0	40	11	24	16	8	10	5	**164**	**14**
CC Motor vehicle offence	2	5	8	8	5	0	37	5	5	10	1	6	3	**95**	**8**
Impaired driving	11	11	26	14	19	0	39	13	20	44	25	14	19	**225**	**11**
Forgery/Uttering	2	1	1	2	4	0	4	3	0	4	2	2	1	**26**	**0**
Criminal negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Uttering threats	9	12	10	5	58	0	118	12	15	84	20	15	9	**367**	**82**
Conspiracy	0	0	0	0	0	0	1	0	0	0	0	0	0	**1**	**3**
Peace Bond	0	1	0	0	0	0	0	0	0	2	0	0	0	**3**	**0**
Breach of probation/ Order variation	38	27	71	59	148	0	214	58	81	200	23	77	23	**1,019**	**82**
Appeal	4	1	3	2	2	0	3	0	0	6	0	1	1	**23**	**15**
Other	7	13	22	13	33	0	55	24	28	50	79	13	12	**349**	**104**
Criminal Adult Total	**265**	**208**	**265**	**325**	**802**	**0**	**1,892**	**342**	**353**	**911**	**477**	**390**	**173**	**6,403**	**1,140**

Full Service Matters	AM	AR	AT	BW	DR	Hfx North	Hfx South	KE	NG	SY	TR	WI	YA	Staff Total	Private Lawyer
Criminal Young Person															
Homicide	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**1**
Attempted Homicide	0	0	0	0	0	1	0	0	0	0	1	0	0	**2**	**1**
Robbery	0	0	0	4	4	23	3	0	0	3	1	1	0	**39**	**13**
Sexual assault	0	0	2	3	0	16	0	1	1	4	0	0	1	**28**	**5**
Sexual abuse	1	0	0	1	0	1	0	0	0	0	0	0	1	**4**	**1**
Aggravated assault	1	0	0	3	0	86	0	2	1	0	2	1	0	**96**	**2**
Assault	16	8	11	20	1	64	16	18	18	49	11	12	12	**256**	**36**
Kidnapping	0	0	0	0	0	1	0	0	0	0	0	0	0	**1**	**0**
Abduction	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Arson	1	2	0	1	0	1	0	0	2	1	1	0	2	**11**	**1**
Weapons/Explosives	0	0	0	1	0	6	0	1	1	4	2	2	0	**17**	**3**
Break & Enter	7	6	12	15	0	62	2	21	8	25	8	12	8	**186**	**39**
Fraud/False pretence	0	0	1	0	0	5	1	2	4	1	0	0	0	**14**	**3**
Theft	22	3	5	7	3	115	17	20	7	41	3	11	5	**259**	**29**
Possession of stolen property	6	1	0	3	0	13	3	2	1	6	1	5	1	**42**	**3**
Damage/Mischief	6	2	8	5	5	43	1	5	5	22	4	7	2	**115**	**12**
Prostitution	0	0	0	0	0	3	0	0	0	0	0	0	0	**3**	**0**
Gaming/Betting	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Public order offence	0	1	0	0	0	36	0	1	0	0	0	1	0	**39**	**4**
Administration of justice	12	1	0	2	0	5	0	3	0	16	2	1	0	**42**	**1**
Traffic/Import drugs	2	0	0	1	0	6	0	2	2	0	0	1	0	**14**	**1**
Possession of drugs	1	2	2	0	0	12	3	0	2	0	1	0	2	**31**	**1**
CC Motor vehicle offence	0	0	2	0	0	10	0	2	0	0	0	0	0	**14**	**0**
Impaired driving	0	0	1	1	0	4	0	0	0	1	0	0	0	**7**	**0**
Forgery/Uttering	0	0	0	1	0	2	0	0	0	0	0	0	2	**5**	**0**
Criminal negligence	0	0	0	0	0	1	0	0	0	0	0	0	0	**1**	**0**
Uttering threats	4	0	2	4	1	29	4	6	4	22	0	2	1	**79**	**6**
Conspiracy	0	0	0	0	0	0	1	0	0	0	0	0	0	**1**	**0**
Peace Bond	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Breach of probation/ Order variation	17	1	20	31	0	44	7	13	29	83	6	10	1	**262**	**21**
Y.O.A. Transfer	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Y.O.A. Review	1	0	0	5	1	2	0	1	2	0	1	3	0	**16**	**1**
Appeal	0	0	0	0	0	2	0	1	0	0	1	0	0	**4**	**2**
Other	3	1	3	2	2	20	3	7	4	18	1	0	2	**66**	**8**
Criminal Young Person Total	**100**	**28**	**69**	**110**	**17**	**613**	**61**	**108**	**91**	**299**	**46**	**72**	**40**	**1,654**	**194**

Full Service Matters	AM	AR	AT	BW	DR	Hfx North	Hfx South	KE	NG	SY	TR	WI	YA	Staff Total	Private Lawyer
Provincial															
Wildlife Act	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Motor Vehicle Act	0	7	0	0	0	2	0	1	0	0	0	6	0	**16**	**0**
Liquor Control Act	1	2	0	2	0	0	0	0	1	1	0	0	0	**7**	**0**
Appeal	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Other	2	2	0	1	0	1	0	0	0	0	0	0	0	**6**	**0**
Provincial Total	**3**	**11**	**0**	**3**	**0**	**3**	**0**	**1**	**1**	**1**	**0**	**6**	**0**	**29**	**0**
Family															
Separation	0	31	14	46	36	17	0	17	52	45	17	24	53	**352**	**23**
Divorce	6	27	27	47	40	43	1	11	55	79	19	10	37	**402**	**64**
Custody	34	48	46	20	160	201	0	105	58	133	56	34	36	**931**	**362**
Children Services	7	14	16	22	40	72	0	11	14	44	20	18	14	**292**	**397**
Enforcement	0	2	3	1	4	5	0	2	5	5	2	0	2	**31**	**9**
Application to vary	28	9	24	65	55	44	0	61	64	56	15	5	55	**481**	**217**
Maintenance	8	43	48	88	92	70	0	58	49	72	32	13	57	**630**	**107**
Matrimonial property	0	1	3	3	3	6	0	3	13	7	8	1	0	**48**	**19**
Access	3	5	6	9	19	23	0	9	31	21	16	6	16	**164**	**142**
Paternity	1	0	0	2	0	0	0	6	1	1	1	0	2	**14**	**7**
Secure Treatment	0	0	0	0	0	0	0	0	0	0	94	0	0	**94**	**0**
Appeal	0	0	0	1	0	1	0	0	3	1	1	0	0	**7**	**11**
Other	1	6	7	2	3	8	0	0	5	11	0	2	5	**50**	**43**
Family Total	**88**	**186**	**194**	**306**	**452**	**490**	**1**	**283**	**350**	**475**	**281**	**113**	**277**	**3,496**	**1,401**
Civil															
Litigation	0	0	2	0	0	2	0	1	2	1	2	0	0	**10**	**2**
Non-litigation	0	0	0	0	0	2	5	3	0	1	0	2	3	**16**	**0**
Admin. Tribunal	1	0	0	0	0	7	0	0	0	0	0	0	0	**8**	**2**
Immigration	0	1	0	0	0	0	0	0	0	0	1	0	0	**2**	**0**
Review Board	1	0	0	0	0	0	0	0	0	0	3	0	0	**4**	**1**
Adult Protection	0	1	8	2	16	24	0	8	1	34	0	2	2	**98**	**19**
Appeal	0	0	1	0	0	0	0	0	0	0	0	0	0	**1**	**2**
Other	3	2	6	1	3	4	0	1	4	11	1	20	9	**65**	**21**
Civil Total	**5**	**4**	**17**	**3**	**19**	**39**	**5**	**13**	**7**	**47**	**7**	**24**	**14**	**204**	**47**
GRAND TOTAL	**461**	**437**	**545**	**747**	**1,290**	**1,145**	**1,959**	**747**	**802**	**1,733**	**811**	**605**	**504**	**11,786**	**2,782**

Certificates Completed by Private Lawyers

From April 1, 2004 to March 31, 2005

Office	Criminal Adult	Criminal Y. P.	Provincial	Family	Civil	Total	%
Amherst	44	16	0	41	0	**101**	3.6%
Annapolis Royal	11	0	0	26	2	**39**	1.4%
Antigonish	52	19	0	61	6	**138**	5.0%
Bridgewater	50	6	0	79	1	**136**	4.9%
Dartmouth	288	7	0	206	14	**515**	18.5%
Halifax North	5	55	0	302	9	**371**	13.3%
Halifax South	145	8	0	1	0	**154**	5.5%
Kentville	41	3	0	32	2	**78**	2.8%
New Glasgow	47	4	0	83	0	**134**	4.8%
Sydney	266	59	0	338	5	**668**	24.0%
Truro	71	4	0	71	0	**146**	5.2%
Windsor	56	8	0	50	2	**116**	4.2%
Yarmouth	64	5	0	108	5	**182**	6.5%
Administration	0	0	0	3	1	**4**	0.1%
Total	**1,140**	**194**	**0**	**1,401**	**47**	**2,782**	**100.0%**
Percent	**41.0%**	**7.0%**	**0.0%**	**50.4%**	**1.7%**	**100.0%**	

AFTER HOURS TELEPHONE DUTY COUNSEL APRIL 1, 2004 TO MARCH 31, 2005				
Month	**Criminal Adult**	**Criminal Young Person**	**Unknown**	**Total**
April	333	57	20	410
May	345	57	18	420
June	336	47	18	401
July	418	76	17	511
August	376	43	30	449
September	367	39	14	420
October	381	32	21	434
November	336	30	8	374
December	277	22	12	311
January	252	29	8	289
February	261	29	16	306
March	250	43	9	302
TOTALS	3932	504	191	**4,627**

RECIPROCALS APRIL 1, 2004 TO MARCH 31, 2005						
Province	2004/2005			2003/2004		
	Outgoing	Incoming	Total	Outgoing	Incoming	Total
Alberta	14	8	22	12	10	22
British Columbia	7	9	16	3	6	9
Manitoba	2	1	3	0	4	4
New Brunswick	6	6	12	6	10	16
Newfoundland	9	8	17	13	3	16
Northwest Territories	0	0	0	2	0	2
Nunavut	0	0	0	1	0	1
Ontario	33	29	61	11	29	40
Prince Edward Island	2	0	2	0	3	3
Quebec	3	3	6	4	8	12
Saskatchewan	2	1	3	2	1	3
Yukon	0	1	1	0	0	0
Outside Canada	0	0	0	0	0	0
TOTALS	78	65	143	58	74	128

Nova Scotia Legal Aid Commission
Financial Statements
March 31, 2005

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NOVA SCOTIA
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AUDITOR'S REPORT

To the Members of the Legislative Assembly; and

To the Minister of Justice

I have audited the statement of financial position of Nova Scotia Legal Aid Commission as at March 31, 2005, and the statements of operations, changes in net assets, and cash flows for the year then ended. These financial statements are the responsibility of the Commission's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2005 and the results of its operations and cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

E R Salmon

E.R. Salmon, FCA
Auditor General

Halifax, Nova Scotia
June 14, 2005

Nova Scotia Government Web Site
http://www.gov.ns.ca

NOVA SCOTIA LEGAL AID COMMISSION

STATEMENT OF FINANCIAL POSITION
YEAR ENDED MARCH 31, 2005

ASSETS

	2005	2004 (Restated)
Current		
Cash	$ 1,376,962	$ 222,750
Marketable securities (note 2(f))	5,500,000	5,450,000
Receivables, trade	607,333	181,020
Prepaid expenses	57,255	34,987
	7,541,550	5,888,757
Due from Department of Finance (note 2(g))	1,917,275	1,687,362
Property and equipment (note 3)	290,427	252,012
Trust Fund - long service awards (note 4)	1,846,178	1,714,342
	$ 11,595,430	$ 9,542,473

LIABILITIES

Current		
Payables and accruals (notes 5 and 6)	$ 2,520,727	$ 1,611,512
Deferred contribution - special cases (note 7)	643,778	772,654
	3,164,505	2,384,166
Long term		
Long service awards (note 8)	1,846,178	1,714,342
Employee future benefits (notes 2(g) and 9)	1,917,275	1,687,362
Deferred contributions - property and equipment (note 10)	455,425	534,051
	7,383,383	6,319,921

NET ASSETS

Unrestricted net assets (page 4)	2,298,032	1,865,298
Reserve for property and equipment expenditures (page 4 and note 11)	43,055	150,000
Net assets invested in capital assets (page 4)	288,955	171,914
Reserve for future case completion (page 4 and note 11)	1,981,005	1,035,340
	4,212,047	3,222,552
	$ 11,595,430	$ 9,542,473

Commitment and contingencies (note 13)
See accompanying notes

On Behalf of the Board

Director

Director

NOVA SCOTIA LEGAL AID COMMISSION

STATEMENT OF OPERATIONS
YEAR ENDED MARCH 31, 2005

	2005	2004 (Restated)
Revenue		
Operating grants - Province of Nova Scotia	$ 17,111,521	$ 15,421,658
Future employee benefits grant - Province of Nova Scotia	229,913	188,762
Interest	157,999	174,513
Other income	28,724	132,510
	17,528,157	15,917,443
Expenses (page 12)		
Amortization	148,169	219,838
Directors' fees	19,838	15,238
Equipment and maintenance	206,135	96,597
Library	152,801	137,523
Memberships, meetings and conferences	284,483	212,638
Office disbursements	232,556	235,236
Private solicitors' fees (note 6)	3,207,541	2,344,466
Professional and other fees	286,791	187,345
Salaries and benefits	10,776,918	9,566,503
Supplies and services	1,041,956	981,207
Travel	182,674	157,594
	16,538,662	14,154,185
Excess of revenue over expenses before special cases	989,495	1,763,258
Special cases (note 7)		
Contribution from the Province of Nova Scotia	128,343	272,811
Contributions from clients	12,543	16,847
	140,886	289,658
Expenses, special cases	140,886	289,658
	-	-
Excess of revenue over expenses	$ 989,495	$ 1,763,258

See accompanying notes

NOVA SCOTIA LEGAL AID COMMISSION

STATEMENT OF CHANGES IN NET ASSETS
YEAR ENDED MARCH 31, 2005

	Unrestricted Net Assets	Reserve for Equipment Expenditures	Net Assets Invested in Equipment	Reserve for Future Case Completion	2005 Total	2004 Total
Balance, beginning of year	$ 1,865,298	$ 150,000	$ 171,914	$ 1,035,340	$ 3,222,552	$ 1,459,294
Excess of revenue over expenses	989,495	-	-	-	989,495	1,763,258
Purchase of property and equipment	(79,639)	(106,945)	186,584	-	-	-
Amortization, net	69,543	-	(69,543)	-	-	-
Transfer to reserve for future case completion	(546,665)	-	-	546,665	-	-
Balance, end of year	$ 2,298,032	$ 43,055	$ 288,955	$ 1,582,005	$ 4,212,047	$ 3,222,552

See accompanying notes

NOVA SCOTIA LEGAL AID COMMISSION

STATEMENT OF CASH FLOWS
YEAR ENDED MARCH 31, 2005

	2005	2004
Operating Activities		
Excess of revenue over expenses	$ 989,495	$ 1,763,258
Amortization	148,169	219,838
Amortization of deferred contributions - capital	(78,626)	(163,158)
	1,059,038	1,819,938
Net change in non-cash working capital balances related to operations (note 12)	281,758	(3,237,801)
	1,340,796	(1,417,863)
Investing Activities		
Purchase of		
Furniture and equipment	(14,355)	(33,673)
Computer equipment	(172,229)	-
	(186,584)	(33,673)
Increase (decrease) in cash during year	1,154,212	(1,451,536)
Cash, beginning of year	222,750	1,674,286
Cash, end of year	$ 1,376,962	$ 222,750

See accompanying notes

1. Authority

The Nova Scotia Legal Aid Commission was established in 1977 pursuant to the Legal Aid Act. The Act and Regulations stipulate that the Commission can provide legal services to persons whose income is derived primarily from municipal or provincial social assistance or to persons in an equivalent position.

Commission activities are funded by a grant from the Province of Nova Scotia. The Province in turn receives a contribution from the Government of Canada for legal aid provided by the Commission.

2. Accounting Policies

(a) Cash

Cash consist of cash on hand and balances with banks.

(b) Amortization

Property and equipment are stated at cost and are amortized on a straight-line basis over their estimated useful lives:

Computer equipment	33.33% per year
Furniture and equipment	20% per year
Leasehold improvements	Over term of lease
Equipment under capital lease	33.33% per year

(c) Financial Instruments

The Commission's financial instruments consist of cash, investments, receivables and payables. It is management's opinion that the Commission is not exposed to significant interest, currency or credit risks arising from these financial instruments.

The Commission estimates that the fair value of its cash, investments, receivables and payables approximate their carrying values due to the relatively short period to maturity of these financial instruments.

(d) Use of Estimates

The presentation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amount of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reported period. Actual results could differ from those reported.

(e) Special cases

Periodically, the Commission provides legal services to clients upon special request from the Department of Justice where the clients would not otherwise be eligible under the Commission's guidelines. Contributions and expenses related to these special cases are presented separately on the statement of operations.

2. Accounting Policies (cont'd)

(f) Marketable securities

Investments consist of guaranteed investment certificates and are valued at cost, which approximates market value. These guaranteed investment certificates bear interest in a range of 2.1% to 2.2% (2004 - 2.40% to 2.65%) and mature between 32 and 125 days (2004 - 30 and 42 days) after year-end.

(g) Employee Future Benefits

As at March 31, 2005, the Commission retroactively adopted the method of accounting for employee future benefits required by The Canadian Institute of Chartered Accountants' recommendations in Section 3461, Employee Future Benefits. The main components of this accounting policy are costs for employee future benefits other than pensions which are accrued over the periods in which the employees render services in return for these benefits. These benefits are for health insurance programs. A liability for employee future benefits of $1,917,275 (2004 - $1,687,362) has been included in the financial statements. The liability as at March 31, 2005 and 2004 has been assumed by the Province of Nova Scotia so an offset of the same amount has been recorded as a receivable from the Department of Finance. The Province of Nova Scotia has indicated that it will not assume the increase in costs relating to employee future health insurance benefits for the 2006 fiscal year and decisions for future years are yet to be determined. The current year's expense incurred for these future employee benefits is $245,515 (2004 - $200,368).

(h) Comparative figures

Certain accounts in the prior year financial statements have been reclassified for comparative purposes to conform with the presentation in the current year's financial statements.

(i) Revenue Recognition

Operating grants and other revenue are recorded on the accrual basis.

Contributions from the Province of Nova Scotia for the acquisition of property, plant and equipment are recorded as deferred contributions and are amortized to revenue in accordance with the amortization schedule for each equipment acquired.

3. Property and equipment

	2005			2004
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Leasehold improvements	$ 106,769	$ 75,100	$ 31,669	$ 48,637
Furniture and fixtures	151,530	79,197	72,333	85,887
Computer equipment	666,718	480,293	186,425	117,488
	$ 925,997	$ 634,590	$ 290,427	$ 252,012

4. Trust Fund - Long Service Awards

The Commission follows the provisions of the Civil Service Act with respect to the payment of long service awards to retiring employees. The Commission is responsible for the funding and eventual payment of these awards.

The Commission maintains a trust fund to provide for the eventual payment of awards and to administer long service award advances. The Commission provides contributions, from general operating funds, to defray future obligations for long service awards.

In prior years, employees with fifteen years of employment could apply for an advance on their long service award. Advances are repayable upon retirement or termination, together with interest at the provincial borrowing rate which existed at the time of the advance. To date, six employees have received advances with two advances outstanding at year end. Advances plus accrued interest at March 31, 2005 totaled $51,185 (2004 - $84,117).

	2005	2004
Balance, beginning of year	$ 1,714,342	$ 1,563,638
Add: Contribution from operating funds	76,915	76,973
Outstanding year end contribution	138,199	88,004
Interest on long service award advances	2,723	6,870
Interest on investments	30,812	34,293
	248,649	210,140
Less: Long service awards paid to retiring employees	116,713	59,391
Operating charge	60	45
	116,773	59,436
Balance, end of year	$ 1,846,178	$ 1,714,342
Consisting of:		
Cash	$ 56,834	$ 15,219
Investments and accrued interest on investments	1,600,000	1,527,000
Receivable - long service award advances and accrued interest on advances	51,185	84,119
Contribution due from operating funds	138,199	88,004
	$ 1,846,178	$ 1,714,342

5. Payables and Accruals

	2005	2004
Supplies and services	$ 188,344	$ 118,816
Accrued private solicitors' fees (note 6)	2,026,705	1,308,321
Employee salaries and benefits	305,678	184,375
	$ 2,570,727	$ 1,611,512

6. Measurement Uncertainty

Measurement uncertainty is uncertainty in the determination of the amount at which an item is recognized in the financial statements. This exists when there is a variance between the recorded amount and another reasonable possible amount.

Measurement uncertainty in these financial statements is inherent in the recording of accrued private solicitors' fees. At the end of each fiscal year the Commission has a liability for work conducted by private solicitors that is not yet billed and paid. At March 31, 2005, a liability of $2,026,705 (2004 - $1,308,321) was recorded, of which $1,734,270 (2004 - $1,067,512) was estimated using a system that incorporates average costs and time frames for similar cases over the last two years. The estimate will vary from the eventual billings from private solicitors due to the specific requirements of each case.

7. Deferred Contribution - Special Cases

Special case funding is received from the Province of Nova Scotia and is restricted solely for expenditures incurred in the process of defending clients. Amounts not used for current expenditures are deferred to be applied against future cases. Any funding not committed at the conclusion of the cases must be returned to the Province of Nova Scotia.

8. Long Service Awards

Employees of the Commission are entitled to long service awards upon retirement. The awards are based on the number of years of service of the employee, and are earned at the rate of one week's pay for every year of service, to a maximum of twenty-six weeks.

In 2005, the Commission engaged an outside consultant to estimate the liability relating to the awards. Based on the estimate of the present value of obligation respecting long service awards at March 31, 2005, the long service award trust funds of $1,846,178 (2004 - $1,714,342) are sufficient to fund the liability.

9. Employee future benefits

The Commission has provided for employee future benefits other than pensions for life insurance, dental and medical programs.

The significant actuarial assumptions adopted in measuring the Commission's accrued benefit obligations are as follows:

Discount rate	5.75%
Expected health care costs trend rate	10% in 2005 decreasing down to 5% per annum in and after 2010
Retirement age assumption	59 years
Participation	90% of members are assumed to participate in the retiree health and dental programs

10. Deferred Contributions - Property and Equipment

Deferred contributions relates to funding received from the Province of Nova Scotia to offset costs of upgrading the Commission's computer systems. The changes in the deferred contributions balance for the period are as follows:

	2005	2004
Balance, beginning of year	$ 534,051	$ 697,209
Less: amounts amortized to revenue	(78,626)	(163,158)
Balance, end of year	$ 455,425	$ 534,051

11. Reserves

Reserve for Property and Equipment Expenditures

The Commission has appropriated an amount from unrestricted net assets that approximates management's best estimate of the future capital expenditures that will be required to upgrade its management information systems.

Reserve for Future Case Completion

The Commission has appropriated an amount from unrestricted net assets that approximates management's best estimate of the remaining cost to complete the cases that are in progress as at March 31, 2005.

12. Net change in non-cash working capital balances related to operations

	2005	2004
Increase (decrease) in cash from changes in:		
Receivables	$ (426,313)	$ (100,932)
Prepaid expenses	(22,268)	(5,302)
Payables and accruals	909,215	169,264
Deferred contributions - special cases	(128,876)	(12,277)
Marketable securities	(50,000)	(3,288,554)
	$ 281,758	$ (3,237,801)

13. Commitments and Contingencies

(a) The Commission has entered into lease agreements for ten of its offices. The remaining three offices do not have formal lease agreements. Lease agreements typically call for payment of a base rent plus a provision for the Commission's portion of operating costs and property taxes. Lease terms vary by office.

Minimum lease payments for the next five fiscal years, not including operating costs and taxes, are as follows:

2006	$ 713,873
2007	$ 740,145
2008	$ 714,178
2009	$ 633,576
2010	$ 581,002

(b) The Commission provides funding to Dalhousie Legal Aid Services. The Commission has agreed to provide a grant of $69,000 to Dalhousie Legal Aid Services for the year ending March 31, 2006.

(c) The Commission has been named a defendant in an action. As of the audit report date, the outcome of this claim is not determinable, and accordingly, no provision has been made for it in the financial statements.

14. Client Trust Funds

On March 31, 2005, $15,614 (2004 - $32,547) was held in trust for clients. These trust funds are accounted for seperately and are not reflected in the financial statements.

15. Pensions

Pursuant to Section 7 of the Legal Aid Act, all permanent employees of the Commission are entitled to receive pension benefits under the Province of Nova Scotia Public Service Superannuation Act. The plan is funded by equal employee and employer contributions. The employer contributions are included in the Commission's operating expenses in the amount of $571,432 (2004 - $475,702). The Commission is not responsible for any unfunded liability with respect to the superannuation fund.

NOVA SCOTIA LEGAL AID COMMISSION

EXPENSES
YEAR ENDED MARCH 31, 2005

	Budget 2005	Actual 2005	Actual 2004 (Restated)
Amortization	$ 50,400	$ 148,199	$ 219,838
Directors' fees	45,000	19,638	15,238
Equipment and maintenance			
Leasehold improvements	26,400	14,967	2,768
Office furniture and equipment	41,000	76,393	12,035
Office machine leasing	61,400	78,875	53,469
Office machine maintenance	36,700	43,908	28,325
	165,500	206,135	96,597
Library	185,000	152,891	137,573
Memberships, meetings and conferences			
Memberships and dues	154,000	166,434	128,894
Meetings and conferences	168,500	118,049	83,744
	322,500	284,483	212,638
Office disbursements			
Civil and family	150,000	102,686	102,253
Criminal	150,000	117,832	118,036
Young offender	22,000	12,918	14,947
	322,000	233,436	235,236
Private solicitors' fees			
Civil and family - conflicts	1,413,200	1,693,824	1,272,012
Criminal - choice of counsel	230,600	185,718	43,287
Criminal - conflicts	930,800	1,233,879	876,138
Young offender - choice of counsel	-	8,677	2,584
Young offender - conflicts	221,000	168,043	150,525
	2,795,600	3,297,541	2,344,466
Professional and other fees			
Professional fees	236,500	286,791	174,911
Consultant fees	20,000	-	12,434
	256,500	286,791	187,345
Salaries and benefits	10,815,300	10,776,918	9,566,503
Supplies and services			
General cleaning and office expense	69,500	85,864	85,939
Heat, light and water	27,000	26,669	28,367
Miscellaneous	264,800	3,665	1,547
Printing and stationery	98,000	97,906	91,692
Rent, insurance and taxes	628,600	638,952	596,133
Telephone and postage	190,000	189,708	177,529
	1,277,900	1,041,556	981,207
Travel	156,400	182,674	157,594
	$ 16,392,100	$ 16,538,662	$ 14,154,185

DEFINITION OF TERMS

Advice – Legal counsel provided to people who require only legal advice but no further legal service.

AM – Amherst Office

After Hours Telephone Duty Counsel - After hours legal advice provided by lawyers.

Applications Pending Decision as to Service – Applications for Legal Aid received in the fiscal year for which a decision has yet to be made.

Applications Received by Method of Service – Applications for Legal Aid received in the fiscal year and how those applications were dealt with.

AR – Annapolis Royal Office

AT – Antigonish Office

BW – Bridgewater Office

Cells Duty Counsel – Legal representation provided by a staff lawyer at the Halifax Provincial Court, Spring Garden Road. This representation is provided to only those individuals detained in cells. The Commission initiated the same service at Dartmouth Provincial Court site, Pleasant Street in February 2001 with a contract lawyer.

Certificate – Contract entered into between the Nova Scotia Legal Aid Commission and a private lawyer to provide legal representation to clients who qualify for Legal Aid services but cannot be represented by the local Nova Scotia Legal Aid Office due to conflicts of interest. Nova Scotia Legal Aid continues to give individuals charged with offences punishable by mandatory life imprisonment (murder) a choice of defence counsel and this results in Certificates being issued to private lawyers as well.

DEFINITION OF TERMS

Dalhousie Legal Aid Service - An organization which receives a significant portion of its funding from the budget of the Nova Scotia Legal Aid Commission. The Dalhousie Legal Aid Service provides services to its clients through staff lawyers with the assistance of Dalhousie Law School students who are supervised by lawyers in the provision of any legal services.

DR - Dartmouth Office

Full Service - Full Service matters are all those matters which require a higher commitment of legal resources than can be serviced as a Summary Service.

Hfx North - Halifax Agricola Street Office

Hfx-South - Halifax Spring Garden Road Office

KE - Kentville Office

NG - New Glasgow Office

Matters Completed - Cases which concluded in the fiscal year.

Private Lawyers - Members of the private Bar representing clients by way of a Nova Scotia Legal Aid Certificate.

Reciprocal - Outgoing - An application for Legal Aid which is forwarded to another province where the Nova Scotia resident requires legal representation. All provinces and territories by agreement participate in this exchange of applications for Legal Aid.

Rejected Applications - Applicants for Nova Scotia Legal Aid who were not provided with service due to financial ineligibility, lack of merit, or the service requested was outside of the scope of service.

Staff Lawyers - Lawyers employed by the Nova Scotia Legal Aid Commission.

DEFINITION OF TERMS

Staff Duty Counsel - Lawyers employed by the Nova Scotia Legal Aid Commission who provide legal representation, either by telephone or in person, to people detained in the Provincial Court Cells or at a police station. The staff lawyers also, on occasion, provide Duty Counsel services to family or civil clients as the situation may require.

Summary Service - Summary Service matters are those matters which require a lesser commitment of legal resources and are serviced through advice.

SY - Sydney Office

TR - Truro Office

WI - Windsor Office

YA - Yarmouth Office

YCJA - ***Youth Criminal Justice Act***